

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111, and in light of the remarks which follow, are respectfully requested.

Claims 39-42, 44 and 45 have been amended in response to issues raised in the Office Action. The specification has been amended to correct a typographical error on page 20 and to update the status of the French Application mentioned on page 39. Claims 39-49 remain pending in this application.

Claims 39-49 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth in paragraph (2) of the Official Action. Claims 39-43 were rejected under 35 U.S.C. §112, first paragraph, for the reasons set forth in paragraph (3) of the Official Action. Claims 44-49 were rejected under 35 U.S.C. §112, first paragraph, for the reasons discussed in paragraph (4) of the Office Action. Reconsideration and withdrawal of these rejections are respectfully requested for at least the following reasons.

With reference to the rejection of claims 39-49 in paragraph (2) of the Office Action, claims 39-42, 44 and 45 have been amended by changing "said isocyanurate trimer reaction product", "said biuret trimer reaction product" and "said biuret function containing compound" to read, respectively: --an isocyanurate trimer reaction product--, --a biuret trimer reaction product-- and --said biuret function containing trimer--. In addition, claim 44 was amended to delete the second occurrence of "ratio" in line 5 thereof. Claim 42 also was amended in line 12 to delete the word "isocyanate" since the trimer can be an isocyanurate trimer or a biuret trimer.

Concerning the objection to claims 44 and 45, Applicants submit that those of ordinary skill in the art would readily comprehend the scope of the phrase "ratio of true dimer units/isocyanate functions is \leq 30%." Referring to the specification at page 20, line 8, it is

clear from the words "12% (mass/mass)" that the ratio is a weight ratio, i.e., weight percent of true trimer units divided by the weight percent of all isocyanate functions in the composition. Thus, if the weight percent of true dimer units was 30%, based on the total weight of all isocyanate functions in the composition, the ratio would be 3:10 or 30%. This is the only logical conclusion to reach after reading the entire disclosure. Note that in Example 12 on page 39, line 26, the amount of dimer in the composition is given as 15% by weight, i.e., a weight ratio of true dimer units/isocyanate functions of 1.5:10.

In response to the issue raised in paragraph (3) of the Office Action, Applicants note that the preparation of trimers having a biuret group by reaction of isocyanates in the presence of water and a catalyst is well-known in the art. A suitable catalyst is disclosed in the French Patent mentioned in Example 12. It is not clear from the Office Action why a nexus is required in claims 39-43. A claim satisfies the written description requirement if one of ordinary skill in the relevant art could reasonably conclude that the inventors had possession of the claimed invention. Applicants submit that those of ordinary skill would readily appreciate the scope of claims 39-43.

Turning to the rejection of claims 44-49 in paragraph (4) of the Office Action, Applicants believe that the specification, particularly on page 20, adequately conveys to those of ordinary skill that the recited ratio refers to the weight percent of true dimer units relative to the weight percent of total isocyanate functions in the claimed compositions. The disclosure on page 20, particularly claims 7-8, supports this conclusion.

The Office Action states that it cannot be determined how to interpret a percent value as it applies to a ratio. Quite simply, 30% can be written as a ratio of 3:10.

In view of the above amendments and remarks, it is requested that the §112 rejections of claims 39-49 be reconsidered and withdrawn.

From the foregoing, entry of the present Amendment and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6587 at his earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: 12/1/06

By: *Gary Mangels*
Gary Mangels, Ph.D.
Registration No. 55,424

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 83 6-6620